

filing a document with the Commission to serve a copy of that document on each person in the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the documents on that resource agency.

k. *Description of the Request:* The licensee indicates that finance conditions prevent it from rehabilitating the existing 1500-kW generating unit and installing a new 70-kW generating unit. No construction has commenced.

l. Copies of this filing are on file with the Commission and are available for public inspection. This filing may be viewed on the Commission's Web site at <http://www.ferc.gov> using the "RIMS" link, select "Docket #" and follow the instructions ((202) 208-2222 for assistance). A copy is also available for inspection and reproduction at the address in h above.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. Comments, Protests, or Motions to Intervene—Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

o. Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "RECOMMENDATIONS FOR TERMS AND CONDITIONS", "PROTEST", OR "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

p. Agency Comments—Federal, state, and local agencies are invited to file

comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

Magalie R. Salas,

Secretary.

[FR Doc. 02-10443 Filed 4-26-02; 8:45 am]

BILLING CODE 6717-01-P

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7160-7]

### Notice of Final Decision To Grant Vickery Environmental, Incorporated a Modification of an Exemption From the Land Disposal Restrictions of the Hazardous and Solid Waste Amendments of 1984 Regarding Injection of Hazardous Wastes

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of final decision on a request to modify an exemption from the Hazardous and Solid Waste Amendments of the Resource Conservation and Recovery Act.

SUMMARY: Notice is hereby given by the Environmental Protection Agency (EPA or Agency) that a modification of an exemption to the land disposal restrictions under the 1984 Hazardous and Solid Waste Amendments to the Resource Conservation and Recovery Act (RCRA) has been granted to Vickery Environmental, Inc. (VEI) of Vickery, Ohio. This modification allows VEI to continue to inject three (3) RCRA-regulated hazardous wastes which will be banned from land disposal on May 20, 2002, as a result of regulations promulgated in the **Federal Register** (FR) on November 20, 2001 (66 FR 58258), into four Class I injection wells at the Vickery, Ohio, facility. As required by 40 CFR part 148, VEI has demonstrated, to a reasonable degree of certainty, that there will be no migration of hazardous constituents from the injection zone utilized by VEI's waste disposal facility located near Vickery, Ohio, for as long as the newly-exempted wastes remain hazardous. This decision constitutes a final Agency action for which there is no administrative appeal.

DATES: This action is effective as of May 20, 2002.

FOR FURTHER INFORMATION CONTACT: Harlan Gerrish, Lead Petition Reviewer,

USEPA, Region 5, telephone (312) 886-2939. Copies of the petition and all pertinent information relating thereto are on file and are part of the Administrative Record. It is recommended that you contact the lead reviewer prior to reviewing the Administrative record.

## SUPPLEMENTARY INFORMATION:

### I. Background

Chemical Waste Management (CWM), the predecessor of VEI, submitted a petition for an exemption from the restrictions on land disposal of hazardous wastes on January 19, 1988. Revised documents were received on December 4, 1989, and several supplemental submittals were subsequently made. The exemption was granted on August 7, 1990. On September 12, 1994, CWM submitted a petition to modify the exemption to include wastes bearing 23 additional RCRA waste codes. Region 5 reviewed documents supporting the request and granted the modification of the exemption on May 16, 1995. A notice of the modification appeared on June 5, 1995, at 60 FR 29592 *et seq.* On April 9, 1996, CWM submitted a petition to again modify the exemption to allow 91 additional RCRA waste codes. Region 5 reviewed documents supporting the request and granted the modification on the exemption on June 24, 1996. A notice of the modification appeared on July 15, 1996, at 61 FR 36880 *et seq.* Again on May 13, 1997, CWM submitted a request to add 11 waste codes to the list. Region 5 reviewed the evidence submitted by CWM and granted the request. Notice of the approval appeared on August 12, 1997 (63 FR 43109). On October 13, 1997, CWM notified the EPA that the name of the operator of the Vickery facility would become Waste Management of Ohio (WMO). This change was acknowledged by EPA through a letter added to the Administrative Record on November 10, 1997. On August 28, 1998, WMO requested that two additional waste codes be approved for injection. Notice of the approval appeared on December 10, 1998 (63 FR 68284). In the same year, on November 5, 1998, WMO submitted a petition to exempt four additional waste codes. Approval of this petition appeared on February 10, 1999 (64 FR 6650). On January 24, 2000, Waste Management of Ohio informed EPA of a corporate reorganization and subsequent name change from Waste Management of Ohio to Vickery Environmental, Inc. This change was acknowledged by EPA through a letter added to the Administrative Record on

March 9, 2000. On March 20, 2001, VEI requested that two wastes, designated as K174 and K175, be added to the list of wastes exempted for injection at VEI. This request was approved on May 23, 2001, and notice of the request appeared in the **Federal Register** on April 25, 2001 (66 FR 28464–28466).

The rule promulgated on November 20, 2001, bans K176, K177, and K178 from injection after May 20, 2002, unless VEI's exemption is modified to

allow injection of those wastes. As K-coded wastes, the codes represent a number of chemicals, all of which have already been approved for injection at Vickery under other waste codes. After review of the material submitted, the EPA has determined, as required by 40 CFR 148.20(f), that there is a reasonable degree of certainty that the hazardous constituents contained in the wastes bearing the codes to be banned will behave hydraulically and chemically

like wastes for which VEI was granted its original exemption and will not migrate from the injection zone in hazardous concentrations within 10,000 years. The injection zone is the Mt. Simon Sandstone and the Rome, Conasauga, Kerbel, and Knox Formations. The confining zone is comprised of the Wells Creek and Black River Formations.

#### LIST OF RCRA WASTE CODES APPROVED FOR INJECTION

|      |      |      |      |      |      |      |      |      |      |      |      |
|------|------|------|------|------|------|------|------|------|------|------|------|
| D001 | F010 | K035 | K115 | P016 | P076 | P201 | U050 | U106 | U158 | U215 | U389 |
| D002 | F011 | K036 | K116 | P017 | P077 | P202 | U051 | U107 | U159 | U216 | U390 |
| D003 | F012 | K037 | K117 | P018 | P078 | P203 | U052 | U108 | U160 | U217 | U391 |
| D004 | F019 | K038 | K118 | P020 | P081 | P204 | U053 | U109 | U161 | U218 | U392 |
| D005 | F020 | K039 | K123 | P021 | P082 | P205 | U055 | U110 | U162 | U219 | U393 |
| D006 | F021 | K040 | K124 | P022 | P084 | U001 | U056 | U111 | U163 | U220 | U394 |
| D007 | F022 | K041 | K125 | P023 | P085 | U002 | U057 | U112 | U164 | U221 | U395 |
| D008 | F023 | K042 | K126 | P024 | P087 | U003 | U058 | U113 | U165 | U222 | U396 |
| D009 | F024 | K043 | K131 | P026 | P088 | U004 | U059 | U114 | U166 | U223 | U400 |
| D010 | F025 | K044 | K132 | P027 | P089 | U005 | U060 | U115 | U167 | U225 | U401 |
| D011 | F026 | K045 | K136 | P028 | P092 | U006 | U061 | U116 | U168 | U226 | U402 |
| D012 | F027 | K046 | K140 | P029 | P093 | U007 | U062 | U117 | U169 | U227 | U403 |
| D013 | F028 | K047 | K141 | P030 | P094 | U008 | U063 | U118 | U170 | U228 | U404 |
| D014 | F032 | K048 | K142 | P031 | P095 | U009 | U064 | U119 | U171 | U234 | U407 |
| D015 | F034 | K049 | K143 | P033 | P096 | U010 | U066 | U120 | U172 | U235 | U408 |
| D016 | F035 | K050 | K144 | P034 | P097 | U011 | U067 | U121 | U173 | U236 | U409 |
| D017 | F037 | K051 | K145 | P036 | P098 | U012 | U068 | U122 | U174 | U237 | U410 |
| D018 | F038 | K052 | K147 | P037 | P099 | U014 | U069 | U123 | U176 | U238 | U411 |
| D019 | F039 | K060 | K148 | P038 | P101 | U015 | U070 | U124 | U177 | U239 |      |
| D020 | K001 | K061 | K149 | P039 | P102 | U016 | U071 | U125 | U178 | U240 |      |
| D021 | K002 | K062 | K150 | P040 | P103 | U017 | U072 | U126 | U179 | U243 |      |
| D022 | K003 | K069 | K151 | P041 | P104 | U018 | U073 | U127 | U180 | U244 |      |
| D023 | K004 | K071 | K156 | P042 | P105 | U019 | U074 | U128 | U181 | U246 |      |
| D024 | K005 | K073 | K157 | P043 | P106 | U020 | U075 | U129 | U182 | U247 |      |
| D025 | K006 | K083 | K158 | P044 | P108 | U021 | U076 | U130 | U183 | U248 |      |
| D026 | K007 | K084 | K159 | P045 | P109 | U022 | U077 | U131 | U184 | U249 |      |
| D027 | K008 | K085 | K160 | P046 | P110 | U023 | U078 | U132 | U185 | U271 |      |
| D028 | K009 | K086 | K161 | P047 | P111 | U024 | U079 | U133 | U186 | U277 |      |
| D029 | K010 | K087 | K169 | P048 | P112 | U025 | U080 | U134 | U187 | U278 |      |
| D030 | K011 | K088 | K170 | P049 | P113 | U026 | U081 | U135 | U188 | U279 |      |
| D031 | K013 | K093 | K171 | P050 | P114 | U027 | U082 | U136 | U189 | U280 |      |
| D032 | K014 | K094 | K172 | P051 | P115 | U028 | U083 | U137 | U190 | U328 |      |
| D033 | K015 | K095 | K174 | P054 | P116 | U029 | U084 | U138 | U191 | U353 |      |
| D034 | K016 | K096 | K175 | P056 | P118 | U030 | U085 | U139 | U192 | U359 |      |
| D035 | K017 | K097 | K176 | P057 | P119 | U031 | U086 | U140 | U193 | U364 |      |
| D036 | K018 | K098 | K177 | P058 | P120 | U032 | U087 | U141 | U194 | U365 |      |
| D037 | K019 | K099 | K178 | P059 | P121 | U033 | U088 | U142 | U196 | U366 |      |
| D038 | K020 | K100 | P001 | P060 | P122 | U034 | U089 | U143 | U197 | U367 |      |
| D039 | K021 | K101 | P002 | P062 | P123 | U035 | U090 | U144 | U200 | U372 |      |
| D040 | K022 | K102 | P003 | P063 | P127 | U036 | U091 | U145 | U201 | U373 |      |
| D041 | K023 | K103 | P004 | P064 | P128 | U037 | U092 | U146 | U202 | U375 |      |
| D042 | K024 | K104 | P005 | P065 | P185 | U038 | U093 | U147 | U203 | U376 |      |
| D043 | K025 | K105 | P006 | P066 | P188 | U039 | U094 | U148 | U204 | U377 |      |
| F001 | K026 | K106 | P007 | P067 | P189 | U041 | U095 | U149 | U205 | U378 |      |
| F002 | K027 | K107 | P008 | P068 | P190 | U042 | U096 | U150 | U206 | U379 |      |
| F003 | K028 | K108 | P009 | P069 | P191 | U043 | U097 | U151 | U207 | U381 |      |
| F004 | K029 | K109 | P010 | P070 | P192 | U044 | U098 | U152 | U208 | U382 |      |
| F005 | K030 | K110 | P011 | P071 | P194 | U045 | U099 | U153 | U209 | U383 |      |
| F006 | K031 | K111 | P012 | P072 | P196 | U046 | U101 | U154 | U210 | U384 |      |
| F007 | K032 | K112 | P013 | P073 | P197 | U047 | U102 | U155 | U211 | U385 |      |
| F008 | K033 | K113 | P014 | P074 | P198 | U048 | U103 | U156 | U213 | U386 |      |
| F009 | K034 | K114 | P015 | P075 | P199 | U049 | U105 | U157 | U214 | U387 |      |

## II. Conditions

General conditions of this exemption are found at 40 CFR part 148. The exemption granted to VEI on August 7,

1990, included a number of specific conditions. Conditions numbered (1), (2), (3), (4), and (9) remain in force. Construction of a monitoring well required under condition 5 has been

completed, and the required monitoring will continue through the life of the facility. Conditions numbered (6), (7), and (8) have been fully satisfied. The results of the work carried out under

these conditions confirms that the model used to simulate fluid movement within the injection zone for the next 10,000 years is valid and results of the simulation bound the region of the injection zone within which the waste will be contained.

**Timothy C. Henry,**

*Acting Director, Water Division, Region 5.*

[FR Doc. 02-10418 Filed 4-26-02; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[FRL-7202-9]

### Office of Research and Development EPA Board of Scientific Counselors, Executive Committee Meeting—Closed

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of meeting.

**SUMMARY:** The EPA Board of Scientific Counselors (BOSC) will hold an Executive meeting on May 13, 2002. Pursuant to section 10(d) of the Federal Advisory Committee Act (FACA), 5 U.S.C. App. 2 and section (c)(6) of the Government in the Sunshine Act, 5 U.S.C. 552b(c)(6), EPA has determined that the May 13, 2002, meeting will be closed to the public. The topic of discussion is to recommend new Board members to the Assistant Administrator for Research and Development to serve on the BOSC. In making these recommendations, the members will need to have full and frank discussions regarding potential nominees. Such personnel issues, where disclosure would constitute an unwarranted invasion of personal privacy, are protected from disclosure by exemptions 6 of section 552(b)(c) of the U.S.C. In accordance with the provisions of the Federal Advisory Committee Act, minutes of the May 13, 2002, discussions will be kept for Agency and Congressional review.

**FOR FURTHER INFORMATION CONTACT:** Ms. Shirley R. Hamilton, Designated Federal Officer, U.S. Environmental Protection Agency, Office of Research and Development, NCER (MC 8701R), 1200 Pennsylvania Avenue, NW., Washington, DC 20460, telephone: (202) 564-6853 or e-mail at: [hamilton.shirley@epa.gov](mailto:hamilton.shirley@epa.gov)

Dated: April 8, 2002.

**Christine Todd Whitman,**  
*Administrator.*

[FR Doc. 02-10419 Filed 4-26-02; 8:45 am]

**BILLING CODE 6560-50-M**

## COUNCIL ON ENVIRONMENTAL QUALITY

### Annual Report on Endangered Species Act Exemption

**AGENCY:** Council on Environmental Quality.

**ACTION:** Availability of report.

**SUMMARY:** This notice announces the availability of the Annual Report submitted by Basin Electric Power Cooperative, as Project Manager for the Missouri Basin Power Project in the matter of an exemption granted from the requirements of the Endangered Species Act to Grayrocks Dam. The lead federal agency in the project is the Rural Electrification Administration.

**DATES:** The report was submitted to the Council on January 18, 2002. The report was received by the Council on April 17, 2002.

**ADDRESSES:** The Annual Report is available from Basin Electric Power Cooperative, 1717 East Interstate Avenue, Bismarck, ND 58503-0564. Telephone: (701) 223-0441

**FOR FURTHER INFORMATION CONTACT:** Dinah Bear, General Counsel, Council on Environmental Quality, 722 Jackson Place, NW., Washington, DC 20503. Telephone: (202) 395-7421

**SUPPLEMENTARY INFORMATION:** Under the Endangered Species Act, any agency granted an exemption under 16 U.S.C. 1536(h) must submit to the Council on Environmental Quality an annual report describing its compliance methods with the mitigation and enhancement measures prescribed by 16 U.S.C. 1536(1)(2). This subsection further requires that the Council publish availability of the report in the **Federal Register**.

Dated: April 23, 2002.

**Dinah Bear,**  
*General Counsel.*

[FR Doc. 02-10408 Filed 4-26-02; 8:45 am]

**BILLING CODE 3125-01-M**

## FEDERAL COMMUNICATIONS COMMISSION

### Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission, Comments Requested

April 22, 2002.

**SUMMARY:** The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the

following information collection(s), as required by the Paperwork Reduction Act of 1995, Public Law 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; and ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

**DATES:** Written comments should be submitted on or before June 28, 2002. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all comments to Judith Boley Herman or Leslie Smith, Federal Communications Commission, Room 1-C804 or Room 1-A804, 445 12th Street, SW, Washington, DC 20554 or via the Internet to [jboley@fcc.gov](mailto:jboley@fcc.gov) or [lesmith@fcc.gov](mailto:lesmith@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information or copies of the information collection(s), contact Judith Boley Herman at 202-418-0214 or via the Internet at [jboley@fcc.gov](mailto:jboley@fcc.gov).

#### SUPPLEMENTARY INFORMATION:

*OMB Control No.:* 3060-0645.

*Title:* Part 17—Antenna Registration.

*Form No.:* N/A.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Business or other for-profit, state, and not-for-profit institutions, and state, local or tribal governments.

*Number of Respondents:* 25,600.

*Estimated Time Per Response:* Burden for disclosure—6 minutes; burden for posting—12 minutes; burden for notifications—3 to 15 minutes; burden for reporting requirement—15 minutes.

*Frequency of Response:* Recordkeeping requirement; third party disclosure requirement, on occasion reporting requirement.

*Total Annual Burden:* 40,329 hours.

*Total Annual Cost:* \$3,300,000.